

SCIOS.010CP1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jue et al.

Appl. No. : 09/575,199

Filed : May 18, 2000

For : VASCULAR ENDOTHELIAL  
GROWTH FACTOR DIMERS

Examiner : Spector, L.

) Group Art Unit 1647

) I hereby certify that this correspondence and all  
) marked attachments are being deposited with the  
) United States Postal Service as first-class mail in  
) an envelope addressed to: Assistant  
) Commissioner for Patents, Washington, D.C.  
) 20231, on

October 22, 2001

(Date)

Gignier R. Dreger, Reg. No. 33,055

6/2  
S.Q.J  
1/23/02

RESPONSE TO NOTICE TO COMPLY

RECEIVED

JAN 22 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

On October 2, 2001, a Notice to Comply with requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was mailed in connection with the above-identified patent application, setting a 30-day term for compliance. According to the Notice, a copy of the Sequence Listing in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

It is believed that the Notice was issued in error. As attested by the enclosed Return Receipt Postcard, the present application as filed on May 18, 2000 was accompanied by a Sequence Listing Diskette and a Sequence Submission Statement confirming that the content of the paper and computer readable copies was the same, and did not add new matter. Accordingly, the computer readable form should be of record. However, merely for the convenience of the Patent Office, applicants enclose another computer readable copy of the Sequence Listing along with the requisite statement.

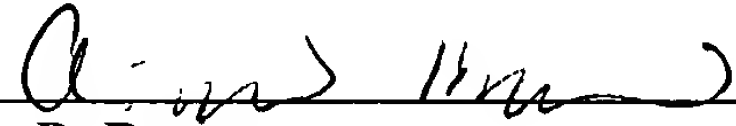
Appl. No. : 09/575,199  
Filed : May 18, 2000

Although no fees are believed to be due at this time, please charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 23 2001

By:   
Ginger R. Dreger  
Registration No. 33,055  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660

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101701



PATENT

Case Docket No. SCIOS.010CP1

Date: October 22, 2001

164-1  
Box Seq

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jue et al.  
Appl. No. : 09/575,199  
Filed : May 18, 2000  
For : VASCULAR  
ENDOTHELIAL GROWTH  
FACTOR DIMERS  
Examiner : Spector, L.  
Group Art Unit : 1647

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United States Postal Service as first class mail in an  
envelope addressed to: Assistant Commissioner for  
Patents, Washington, D.C. 20231, on

October 22, 2001

(Date)

Ginger R. Dreger, Reg. No. 33,055

RECEIVED

JAN 22 2002

TECH CENTER 1600/2900

TRANSMITTAL LETTER

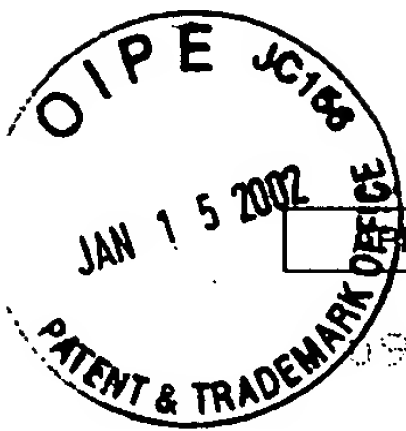
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Response To Notice To Comply.
- (X) A Sequence Submission Statement.
- (X) A Sequence Listing.
- (X) A Diskette Containing the Sequence Listing
- (X) A Copy of the Notice To Comply.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Ginger R. Dreger  
Registration No. 33,055  
Attorney of Record



SC105.010CP1  
GRD



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*C*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/575,199	05/18/00	JUE	R SC105.010CP1

020995 HM12/1002  
KNOBBE MARTENS OLSON & BEAR LLP  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH CA 92660

EXAMINER

SPECTOR, L

ART UNIT	PAPER NUMBER
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1647

DATE MAILED: 10/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

DOCKETED ON: 10/11/01  
BY: *sp* VERIFY BY: *[Signature]*  
ACTION: Notice to Comply  
DATE D/TE: NOV. 1, 2001  
FINAL DEADLINE: Mar. 31, 2002  
ATTY: GRD  
ATTORNEY VERIFICATION OF DUE  
DATE AND FINAL DEADLINE:



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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5

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner of Patents

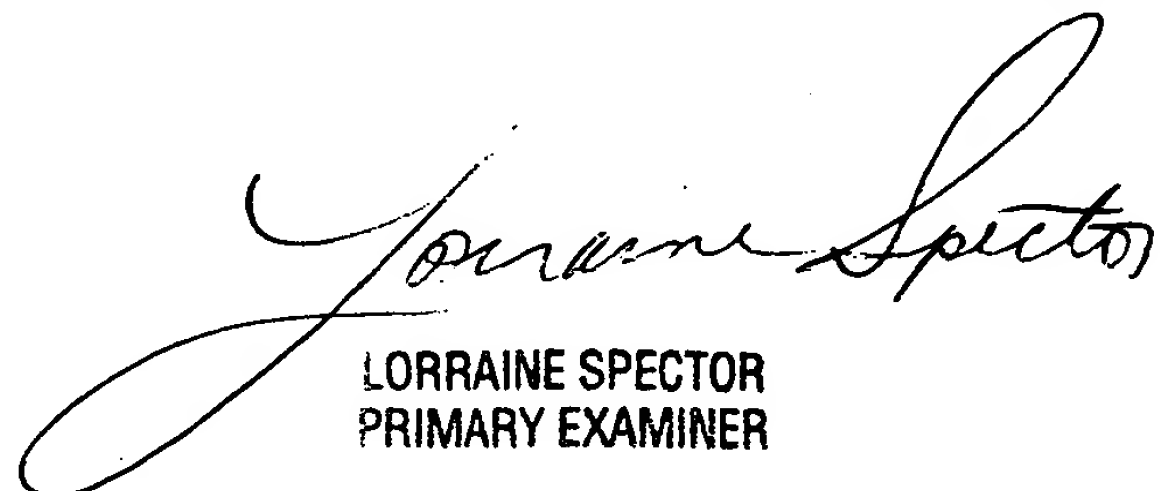
This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dong Jiang whose telephone number is (703) 305-1345. The examiner can normally be reached on Monday- Friday, 9:30 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached at (703) 308-6564. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

  
LORRAINE SPECTOR  
PRIMARY EXAMINER

<b>Notice to Comply</b>	Application No.	Applicant(s)	
	Examiner	Art Unit	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**



**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.